

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: :
Sharon R. Baird : Chapter 13
Debtor :
1600 Church Road Condominium :
Association : No. 17-16587 mdc
Movant :
v. :
Sharon R. Baird :
Respondent :

ORDER FOR RELIEF FROM AUTOMATIC STAY

1. The Association may take any and all actions necessary or appropriate to collect the condominium fees and related charges (i.e. interest, late fees and collection expenses) which are due to the Association from Sharon Baird on account of her ownership of 1600 Church Road, Unit A-105, Wyncote, Pennsylvania.

2. The Association may proceed with the Sheriff Sale scheduled for December 6, 2017.

3. The Association may continue to prosecute the state court lawsuit to enforce the pet restrictions at the Condominium filed in the Court of Common Pleas of Montgomery County and currently on appeal to the Superior Court of Pennsylvania.

J.

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Association :
Movant :
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**1600 CHURCH ROAD CONDOMINIUM ASSOCIATION'S
AMENDED MOTION FOR RELIEF FROM AUTOMATIC STAY**

Movant, 1600 Church Road Condominium Association by its attorney, Hal A. Barrow, Esquire, hereby moves this Honorable Court for relief from the automatic stay, and in support thereof asserts the following:

1. The Debtor owns and occupies the property known as 1600 Church Road, Unit A105, Wyncote, PA 19095, which is a Unit in 1600 Church Road Condominium (the "Condominium "Unit").

2. The Debtor filed her Chapter 13 Voluntary Petition on September 27, 2017. A previous Chapter 13 Voluntary Petition filed at No. 17-10540 was dismissed on May 25, 2017 for failure to make Plan payments.

3. The Debtor owes the Association more than \$90,000.00 in unpaid assessments and related charges for the Condominium Unit. The Association has a judgment against the Debtor in the Court of Court of Common Pleas, Montgomery County, No. 2012-28223, in the amount of \$68,600.32. A copy of the Order of the Court of Common Pleas is attached to this Motion.

4. A Sheriff Sale of the Condominium Unit was scheduled for September 27, 2017.

The Sheriff Sale was postponed until December 6, 2017 when the Debtor filed her Chapter 13 Petition.

5. The Association also obtained a judgment against the Debtor that requires her to remove her dogs from the Condominium. That judgment was obtained after a trial in the Court of Common Pleas of Montgomery County (CCP, Montgomery County, No. 2015-20936). That case proceeded to trial after the Debtor agreed to relief from the stay in her previous Chapter 13 proceeding.

6. The Debtor has repeatedly shown that she is unable or unwilling to meet her obligations to the Bankruptcy Court by not paying filing fees, not attending required credit counseling and not filing her schedules in a timely manner.

7. The Debtor has not paid any assessments that have come due since she filed her Chapter 13 Petition.

8. The Association believes, and therefore avers, that the Debtor has not made any plan payments to the Trustee.

9. The Debtor is not employed, and does not have income sufficient to fund a Plan.

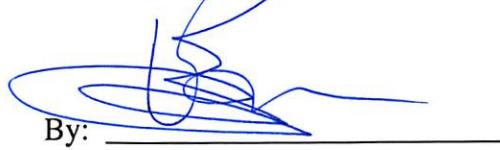
10. The Association believes, and therefore avers, that the Debtor is unlikely to obtain confirmation of a Chapter 13 Plan. The Debtor is facing likely foreclosure of the first mortgage on the Condominium Unit, and she is believed to owe more than the Condominium Unit is worth. The Debtor has repeatedly represented to the Association that she has little or no income.

11. The Debtor has not sought to extend the automatic stay in this case

WHEREFORE, 1600 Church Road Condominium Association respectfully requests that this Honorable Court grant it relief from the automatic stay so that it may take any and all actions

necessary or appropriate to collect the condominium fees and related charges (i.e. interest, late fees and collection expenses) that are or may become due to the Association from Sharon Baird on account of the Condominium Unit, including the Sheriff Sale scheduled for December 6, 2017, and that it be permitted to proceed with the state court case to enforce the pet restrictions for the Condominium.

BARROW|HOFFMAN



By: _____

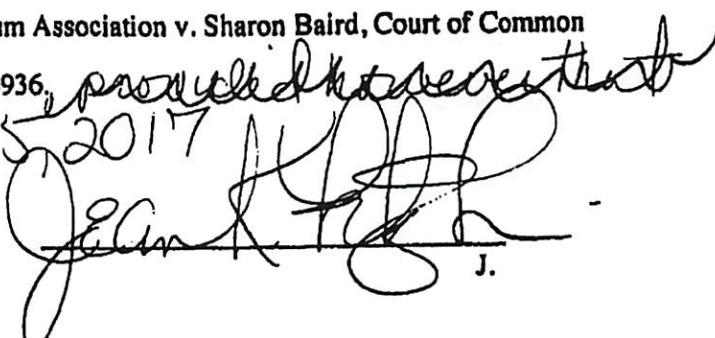
Hal A. Barrow, Esquire
Attorney for Movant
65 W. Street Road, Suite B102
Warminster, PA 18974
(215) 956-9099

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	
Sharon R. Baird	Chapter 13
Debtor	
1600 Church Road Condominium Association	No. 17-10540 jkf
Movant	
v.	
Sharon R. Baird	
Respondent	

ORDER FOR RELIEF FROM AUTOMATIC STAY

AND NOW, this 15th day of February, 2017, upon motion of 1600 Church Road Condominium Association and for good cause shown, it is hereby Ordered and Decreed that 1600 Church Road Condominium Association is granted relief from the automatic stay and may take any and all actions necessary or appropriate to prosecute, including trial, the matter of 1600 Church Road Condominium Association v. Sharon Baird, Court of Common Pleas, Montgomery County, No. 2015-20936, ~~provided however that~~
on or after May 15, 2017



1600 Church Road : Court of Common Pleas
Condominium Association : Montgomery County
vs. :
Sharon R. Baird : No. 2012-28223

ORDER RE MOTION TO REASSESS DAMAGES

AND NOW, this 30~~th~~ day of September, 2017, in consideration of Plaintiff's Motion to Reassess Damages and any response thereto, it is hereby ORDERED and DECREED that damages are reassessed in the amount of \$68,600.32 and that the judgment entered against defendant Sharon R. Baird is amended accordingly. The Prothonotary is directed to index this Order against the defendant.

BY THE COURT:



J.



Rept#Z3214786 Fee:\$0.00
Mark Levy - MontCo Prothonotary

1600 Church Road Condominium Association : Court of Common Pleas
Montgomery County
v. :
Sharon R. Baird : No. 2015-20936

ORDER SUR PETITION FOR CONTEMPT AND IMPOUNDMENT OF DOGS

AND NOW, this 31st day of August, 2017, it appearing to the Court that Defendant Sharon R. Baird has continued to keep dogs in or at 1600 Church Road Condominium, in violation of this Court's Order of May 15, 2017, it is hereby ORDERED and DECREED as follows:

By Agreement

1. The Court finds Defendant Sharon R. Baird to be in contempt of Court for her failure to obey the Court's Order.

2. Defendant may purge her contempt by (a) removing all of her dogs from 1600 Church Road Condominium and (b) filing and serving written confirmation that she has complied with the Court's Order of May 15, 2017, including an explanation of everything that she did to comply with that Order.

3. If defendant does not file and serve written confirmation of her compliance ~~within twenty (20) days of the date of this Order~~, the Sheriff of Montgomery County, a Montgomery County Police Officer or other competent adult designated by plaintiff is authorized to take possession of any and all dogs that are being kept at the Condominium by defendant and to deliver such dog(s) to the Cheltenham Township Community Services Office (Animal Control). *by Oct 2, 2017*

4. Sharon R. Baird shall reimburse the Association for the expenses it incurred in obtaining this relief. Such amounts shall be added to the judgment in this case or in the collection matter (2012-28223).

BY THE COURT:

Carole C. C.

Copy of the above Order delivered by inter-office/regular mail 8/31/17:

Hal Barrow, Esq.

Peter Blust, Esq.

Court Administration – Civil Division

Clerk: Lynne John



2015-20936-0065 9/6/2017 8:28 AM #11431174

Order

Rept#Z3215655 Fee:\$0.00

Mark Levy - MontCo Prothonotary